

FILED
CHARLOTTE, NC

JUN 29 2017

US District Court
Western District of NC

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
NEST CAM DEVICE NUMBER
18b430363f913 THAT IS STORED AT
PREMISES CONTROLLED BY NEST
LABS, INC.

&

IN THE MATTER OF THE SEARCH OF
INFORMATION ASSOCIATED WITH
NEXT CAM DEVICE
NUMBER 18B4305379CC THAT IS
STORED AT PREMISES CONTROLLED
BY NEST LABS, INC.

Case No. 3:17MJ235

Filed Under Seal

NON-DISCLOSURE ORDER

The United States has submitted an application pursuant to 18 U.S.C. § 2705(b), as set forth in the Affidavit of Postal Inspector Randall E. Berkland, requesting that the Court issue an Order commanding NEST LABS, INC., an electronic communication service provider and/or a remote computing service, not to notify any person (including the subscribers and customers of the account(s)) listed in the search warrant of the existence of the attached search warrants until further order of the Court.

The Court determines that there is reason to believe that notification of the existence of the attached search warrant will seriously jeopardize the investigation or unduly delay a trial, including by giving targets an opportunity to flee or continue flight from prosecution, destroy or tamper with evidence, change patterns of behavior, and intimidate potential witnesses. *See* 18 U.S.C. § 2705(b).

IT IS THEREFORE ORDERED under 18 U.S.C. § 2705(b) that NEST LABS, INC. shall not disclose the existence of the attached search warrant, or this Order of the Court, to the listed subscriber or to any other person, until the Court issues an order stating that covert portion of the investigation being conducted by the United States is complete, or until otherwise authorized to do so by the Court, except that NEST LABS, INC. may disclose the attached search warrant to an attorney for NEST LABS, INC. for the purpose of receiving legal advice.

IT IS FURTHER ORDERED that this Order is sealed until otherwise ordered by the Court.

6/29/17
Date



DAVID C. KESSLER
UNITED STATES MAGISTRATE JUDGE